

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: NEWSTARCOM HOLDINGS	:	
	:	
Debtors.	:	
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GEORGE L. MILLER,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 17-309-GMS
	:	Bankruptcy Case No. 08-10108
MATCO ELECTRIC CORP., et al.,	:	ADV No. 10-50063
	:	BAP No. 17-10
Appellees.	:	

RECOMMENDATION

At Wilmington this **11th** day of **October, 2017**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, a teleconference was held on May 5, 2017 for an initial review and discussion with counsel to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of that teleconference, mediation occurred on August 9, 2017.

WHEREAS, no resolution of this matter occurred as a result of mediation and follow up teleconferences and further mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for

this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties have advised there will be no objections filed to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

The parties request that a briefing schedule entered by the Court.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng